

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TruePosition, Inc.,)	
)	
Plaintiff/)	
Counterclaim-Defendant,)	
)	Civil Action No. 05-747-SLR
v.)	
)	
Andrew Corporation,)	
)	
Defendant/)	
Counterclaim-Plaintiff.)	
_____)	

**TRUEPOSITION’S MOTION TO EXCLUDE
THE TESTIMONY OF DR. DEWAYNE E. PERRY
PURSUANT TO FEDERAL RULE OF EVIDENCE 702**

Plaintiff/Counterclaim-Defendant TruePosition, Inc. (“TruePosition”) hereby respectfully moves, pursuant to section 2(c)(3) of the Court’s Scheduling Order (D.I. 23), to exclude the testimony of Dr. Dewayne E. Perry because it fails to satisfy Federal Rule of Evidence 702.

The grounds in support of this motion are set forth in the accompanying memorandum, which is incorporated herein by reference.

Respectfully submitted,

DATED: May 17, 2007

By: /s/ **James D. Heisman**
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ORDER

AND NOW, this _____ day of _____, 2007,
upon consideration of TruePosition's Motion to Exclude the Testimony of Dr.
Dewayne E. Perry Pursuant to Federal Rule of Evidence 702, together with the
supporting memorandum and all opposing papers thereto, it is hereby ORDERED
that TruePosition's motion is GRANTED.

BY THE COURT:

Sue L. Robinson
United States District Judge

CERTIFICATE OF SERVICE

I, James D. Heisman, hereby certify that on this 17th day of May 2007, I caused a true and correct copy of the foregoing **Motion to Exclude the Testimony of Dr. Dewayne E. Perry Pursuant to Federal Rule of Evidence 702** to be served upon the following individuals via CM/ECF and in the manner indicated below:

Via e-mail and hand-delivery

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